



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-17384-2025

Date of decision: 01.04.2025

Sukhmandar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S. Maini, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.35 dated 24.10.2024 under Sections 419, 420, 465, 467, 468, 471, 120-B of the IPC registered at Police Station State Crime Phase 4, SAS Nagar (Mohali).

2. Learned counsel for the petitioner, at the outset contends that the petitioner has been falsely implicated in the instant case and that no direct role has been attributed to him in the alleged fraudulent transaction. It is argued that the petitioner is not even named in the FIR and has been implicated solely on the basis of an affidavit recovered from the co-accused, Parampal Singh. The said affidavit purportedly states that the amount in question was transferred to the account of the petitioner. However, learned counsel submits that such an affidavit, by itself, is not sufficient to establish the complicity of the petitioner in the commission of the alleged offence.



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3. It is further contended that the petitioner is not a direct beneficiary of the disputed land transaction and that his name appears in the case only at a subsequent stage of investigation. The learned counsel further asserts that there is no cogent material to establish his involvement in the conspiracy to usurp the land of the complainant. Therefore, a prayer has been made for extending the concession of anticipatory bail to the petitioner as his custodial interrogation is not warranted in the facts of the case.

4. Notice of motion.

5. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

6. Learned counsel for the State has vehemently opposed the grant of anticipatory bail to the petitioner, by contending that the involvement of the petitioner in the offence is evident from the material collected during the investigation. He, on instructions, has submitted that a specific amount was transferred to the bank account of the petitioner, which links him directly to the fraudulent transaction.

7. Learned State counsel has further submitted that the petitioner is a habitual offender and is involved in multiple cases of similar nature. He is already facing prosecution in four other criminal cases registered under various provisions of the Indian Penal Code, including offences of cheating, forgery and criminal conspiracy. Additionally, it has been submitted that the petitioner is also an accused in a case registered under Section 336 of the IPC and the Arms Act where he was granted bail. It is contended that given his antecedents,



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granting anticipatory bail would not serve the ends of justice.

8. I have heard learned counsel for the parties and perused the relevant material on record.

9. The allegations in the present case pertain to a land fraud wherein an imposter was used to impersonate the deceased father of the complainant, Sukhdev Singh, in order to execute a forged Power of Attorney. This fraudulent document was allegedly used to facilitate the illegal sale of land measuring 12 acres, 03 canals, and 18 marlas in favour of co-accused Khushwant Pal Singh Brar. Allegedly, the entire conspiracy was orchestrated by the accused persons to usurp the complainant's property. Furthermore, during investigation in an affidavit executed by co-accused Parampal Singh on 21.10.2024, it came to the fore that prime accused Khushwant Pal Singh Brar had allegedly transferred the entire amount after withdrawing it into the bank account of the present petitioner.

10. At this stage, the petitioner, *prima facie*, seems to be a part of the entire conspiracy. The fact that a specific amount related to the fraudulent transaction was transferred to his account raises a *prima facie* case of his involvement. The contention of the petitioner that he is not a direct beneficiary of the land fraud is a matter which would be tested during trial and does not, in itself, warrant the grant of anticipatory bail.

11. Further, it is pertinent to note that the petitioner has a history of criminal antecedents. The record reflects that he is an accused in multiple FIRs involving offences of cheating, forgery, and criminal



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conspiracy. The antecedents of the petitioner, therefore, weigh heavily against the grant of the extraordinary concession of anticipatory bail to the petitioner.

12. In the facts and circumstances and the nature of allegations levelled against the petitioner, do not entitle him, therefore, to the extraordinary concession of anticipatory bail. The instant petition stands dismissed accordingly.

13. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

01.04.2025

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No